

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

RONALD BLOODWORTH,

Plaintiff,

vs.

Civil Action 2:10-CV-1122
Judge Marbley
Magistrate Judge King

DEBORA A. TIMMERMAN-COOPER,
WARDEN, et al.

Defendants.

ORDER

Plaintiff has filed a notice of voluntary dismissal, without prejudice, of the claims asserted against defendants Jennifer A. Barnes and Angela Sargent. Doc. No. 107. The Court receives the notice as a motion pursuant to Fed. R. Civ. P. 41, and **GRANTS** that motion.

The claims asserted against defendants Jennifer A. Barnes and Angela Sargent, who have not been served with service of process, are **DISMISSED** without prejudice.

Defendants James Jones, Jennifer Barnes, Dustin Bennett, Felipe Jimenez, Heidi Ferrell and Angela Sargent have all been dismissed from this action. *The State of Ohio's Motion to Dismiss the Complaint and Amended Complaint as to Named Defendants, James Jones, Jennifer Barnes, Dustin Bennett, Felipe Jimenez, Heidi Ferrell and Angela Sargent Pursuant to Fed. R. Civ. P. 4(m)*, Doc. No. 93, is therefore

DENIED as moot.

This matter is also before the Court on plaintiff's motions requesting an extension of time until June 30, 2013 to respond to defendants' motions for partial summary judgment, Doc. Nos. 95, 98. Doc. Nos. 109, 110. The motions for partial summary judgment were filed on January 31 and February 20, 2013, and plaintiff has already been granted one extension - until April 22, 2013 - to respond to those motions. Order, Doc. No. 106. Plaintiff argues that a second extension is necessary because he has limited time to conduct legal research, he intends to file a Rule 56(d) motion to obtain additional discovery, and he is drafting a complaint in an unrelated civil matter.

Plaintiff has not, in the Court's opinion, justified yet another two months to respond to the motions for partial summary judgment. The Court therefore grants plaintiff until April 30, 2013 to respond to defendants' motions for partial summary judgment, Doc. Nos. 95, 98.¹

There will be no further extension of this date.

April 8, 2013

s/ Norah McCann King
Norah McCann King
United States Magistrate Judge

¹ A Rule 56(d) motion will suspend plaintiff's obligation to respond to defendants' motions for partial summary judgment until the Court rules on the 56(d) motion(s).